

1 ARAVIND SWAMINATHAN (PRO HAC VICE)
2 aswaminathan@orrick.com
3 ORRICK, HERRINGTON & SUTCLIFFE LLP
4 401 Union Street, Suite 3300
5 Seattle, WA 98101
6 Telephone: +1 206 839 4300
7 Facsimile: +1 206 839 4301

8 MARC R. SHAPIRO (PRO HAC VICE)
9 mrshapiro@orrick.com
10 ORRICK, HERRINGTON & SUTCLIFFE LLP
11 51 West 52nd Street
12 New York, NY 10019-6142
13 Telephone: +1 212 506 3546
14 Facsimile: +1 212 506 5151

15 SARAH DAVIS (STATE BAR NO. 275145)
16 sdavis@orrick.com
17 ORRICK, HERRINGTON & SUTCLIFFE LLP
18 The Orrick Building
19 405 Howard Street
20 San Francisco, CA 94105-2669
21 Telephone: +1 415 773 5700
22 Facsimile: +1 415 773 5759

23 Attorneys for Defendants
24 Evolve Bancorp, Inc. and Evolve Bank & Trust

25
26
27
28
UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF CALIFORNIA

YOTTA TECHNOLOGIES INC.,

Case No. 3:24 CV-06456-TLT

Plaintiff,

**STATEMENT REGARDING RELATED
CASES**

v.

EVOLVE BANCORP, INC. and EVOLVE
BANK & TRUST,

Judge: Hon. Trina L. Thompson
Trial Date: June 21, 2027
Date Action Filed: Sept. 13, 2024

Defendants.

Pursuant to the Court's January 7, 2025 Order directing the Parties to file a statement listing any related cases, Defendants Evolve Bancorp, Inc. and Evolve Bank & Trust¹ respectfully submit the following:

N.D. Cal. Local Rule 3-12 provides that “[a]n action is related to another when: (1) The actions concern substantially the same parties, property, transaction, or event; and (2) It appears likely that there will be an unduly burdensome duplication of labor and expense or conflicting results if the cases are conducted before different Judges.”

Defendants are unaware of any cases that would be considered “related” cases under Local Rule 3-12. In the spirit of transparency, however, Defendants identify the cases below, which arise from or are related to the bankruptcy of Synapse Financial Technologies, Inc., and/or involve claims regarding the resulting effect on end users of certain fintech platforms, including Yotta.

1. *Margul, et al. v. Evolve Bank & Trust, et al.*, No. 24-cv-03259 (D. Colo. Nov. 22, 2024) (case is pending – Defendants' responsive pleadings are currently due January 24, 2025 – ECF Nos. 5-6).
2. *Miller, et al. v. Evolve Bank & Trust, et al.*, No. 24-cv-03261 (D. Colo. Nov. 23, 2024) (case is pending – Defendants' responsive pleadings are currently due January 23, 2025; Plaintiff's counsel has not yet filed the waivers of service executed by Defendants.)
3. *Saquin, et al. v. Evolve Bank & Trust, et al.*, No. 24-cv-03262 (D. Colo. Nov. 23, 2024) (case is pending – Defendants' responsive pleadings are currently due January 24, 2025 – ECF Nos. 4-5).
4. *Tonner, et al. v. Evolve Bank & Trust, et al.*, No. 24-cv-03509 (D. Colo. Dec. 19, 2024) (case is pending – Defendants' responsive pleadings are currently due March 7, 2025; Plaintiffs' counsel has not yet filed the waivers of service executed by Defendants.)
5. *Felton, et al. v. Evolve Bank & Trust, et al.*, No. 24-cv-10317 (C.D. Cal. Nov. 27,

¹ Evolve Bancorp has filed a motion challenging this Court's jurisdiction. By responding to the Court's January 7, 2025 order, Evolve Bancorp is making a special appearance and in no way concedes jurisdiction and expressly reserves and preserves all rights and defenses thereto.

2024) (case is pending – Defendants' responsive pleadings are currently due February 10, 2025 – ECF Nos. 25-26).

Dated: January 10, 2024

Orrick, Herrington & Sutcliffe LLP

By: /s/ Aravind Swaminathan
ARAVIND SWAMINATHAN
Attorney for Defendants
Evolve Bank & Trust and Evolve Bancorp,
Inc.